

**MINUTES OF THE
GOVERNMENT OPERATIONS INTERIM COMMITTEE**

Wednesday, October 18, 2006 – 2:00 p.m. – Room W130 House Building

Members Present:

Sen. Parley Hellewell, Senate Chair
Rep. Douglas G. Agard, House Chair
Sen. Brent H. Goodfellow
Sen. Lyle W. Hillyard
Rep. Roger E. Barrus
Rep. DeMar "Bud" Bowman
Rep. Tim M. Cosgrove
Rep. Glenn A. Donnelson
Rep. Janice M. Fisher
Rep. Neal B. Hendrickson
Rep. Eric K. Hutchings

Members Absent:

Sen. Dan R. Eastman
Rep. Craig W. Buttars
Rep. John G. Mathis
Rep. Patrick L. Painter
Rep. Mark W. Walker
Rep. Mark A. Wheatley

Staff Present:

Mr. Benjamin N. Christensen, Policy Analyst
Mr. Eric N. Weeks, Associate General Counsel
Ms. A. Brooke Ollerton, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Agard called the meeting to order at 2:14 p.m.

MOTION: Rep. Hutchings moved to approve the minutes of the September 20, 2006 meeting. The motion passed unanimously with Sen. Hillyard, Rep. Barrus, and Rep. Donnelson absent for the vote.

2. Total Compensation of State Employees Studies

Mr. Christensen distributed a handout titled "2006 State Employee Compensation Briefing" and reviewed it with the Committee. He pointed out that over 93 percent of state employees are in the executive branch, with 42 percent designated as professionals. State employees as a percent of state population has declined. He said that the average salary for state employees is \$38,469 and an employee who makes more than \$48,744 makes more than 80 percent of all state employees. He also outlined salary increase histories and discussed state spending on compensation.

Chair Agard relinquished the chair to Sen. Hellewell.

Mr. Jeff Herring, Executive Director, DHRM (Department of Human Resource Management), said that DHRM has tried to give legislative committees the best statistics, but compensation benefits are sometimes hard to quantify. Last session DHRM hired Mercer, a compensation and benefits consulting group, to conduct a benefits study to help DHRM set a long-term policy strategy for attracting and retaining a competent workforce.

Ms. Debbie Price, DHRM, distributed "Employee Total Compensation" and described the results of the annual survey and the Mercer study. She reported that the salary ranges for state employees on average are 11.5 percent below the market and actual salaries are on average 16 percent below the market. The study concluded that the value of total benefits for state employees is 18 percent above the market. However, since these percentages are determined through two different surveys, they cannot be used to balance each other out. Market comparability adjustments are necessary so that benchmarks which are below market are adjusted individually as needed. She cautioned that making widespread salary and/or benefits changes without making market adjustments to each benchmark may mean that some employees

are benefitted while others may be worse off after the change. Mr. Herring and Ms. Price answered committee questions.

3. Election Law Amendments (Draft Legislation)

Mr. Weeks explained that 2007 General Session draft legislation "Election Law Revisions" is an annual clean up bill. He pointed out changes in language concerning poll workers and the registration form. The bill also adjusts dates and adds quorum requirements for canvassing. He mentioned that he had prepared an amendment to lines 967-968 regarding the board of county canvassers.

Mr. Michael Cragun, Deputy Director, Office of Lieutenant Governor, said that the bill was helpful. He asked whether it was necessary for the mayor to be required for a quorum of a board of municipal canvassers. He answered a question from Rep. Aagard about early voting and the results of the audit.

Mr. Weeks responded that the mayor was requested to be included and the thinking behind it is that with a small council of three members, a majority would be two people and a mayor would be the third.

The Committee discussed the language of the bill.

4. Sunset Review - Electronic Transaction Fee Processes

Mr. Jon Ball, LFA (Legislative Fiscal Analyst), presented a report, "Statutory Review of Electronic Transaction Fee Processes." Before FY 2004 the state was not making much progress in providing services online because of the difficulty of processing fees online. During the 2003 General Session, S.B. 175, "Revenue Procedures and Control Act Amendments," passed, authorizing state agencies to recover through fees the cost of online transactions, allowing the state to embed costs in general fees, and directing agencies to track fees separately. The legislation also required a review by the LFA in the 2006 interim and included a sunset provision for 2007. The review found that not all agencies are abiding by the tracking provisions of S.B. 175 and those that are tracking are collecting more revenue than the cost of transaction fees. The LFA recommended that S.B. 175 be allowed to sunset since other parts of statute provide the authority to collect fees. The Legislature should also take action to prevent overcollecting and to eliminate balances in transaction accounts.

MOTION: Chair Aagard moved to allow the Electronic Transaction Fee Process Program to sunset. The motion passed unanimously with Sen. Hillyard, Rep. Barrus, and Rep. Donnelson absent for the vote.

The Committee returned to agenda item 3 and staff distributed "Election Law Revisions - Interim Committee Amendments."

MOTION: Rep. Hutchings moved to adopt the amendments as follows:

1. Page 32, Line 967: After "Attendance of" insert "the number of persons equal to"
2. Page 32, Lines 967-968 Delete "acting members" and insert "persons"

The motion passed unanimously with Sen. Hillyard, Rep. Barrus, and Rep. Donnelson absent for the vote.

MOTION: Rep. Fisher moved to amend 2007 General Session draft legislation "Election Law Revisions" as follows:

1. Page 32, Line 978 Delete "the mayor and"

The motion passed unanimously with Sen. Hillyard, Rep. Barrus, and Rep. Donnelson absent for the vote.

MOTION: Rep. Hutchings moved to approve as amended 2007 General Session draft legislation "Election Law Revisions" as a committee-recommended bill. The motion passed unanimously with Sen. Hillyard, Rep. Barrus, and Rep. Donnelson absent for the vote.

5. Observing Juneteenth Day by the State (Draft Legislation)

Rep. Hansen reviewed the history of Juneteenth Day and stated that the United States Congress passed resolution recognizing Juneteenth Day in the United States.

Ms. Betty Sawyer, Director, Project Success Coalition, said she has coordinated a successful statewide Juneteenth celebration for a number of years. She said that the celebration of Juneteenth Day has been beneficial to the state.

Mr. James Evans, citizen, asked the Committee to recommend the 2007 General Session draft legislation "Observing Juneteenth Day by the State." He reasoned that Utah must celebrate not only the emancipation of slaves, but the fact that the United States had the shortest period of slavery in the world. He pointed out that it was commendable that the war over slavery was among the ruling class, not by force, but by their own moral authority.

Mr. Bryant Powell, Member, Utah Black Chamber of Commerce, said that if Utah began celebrating Juneteenth Day it could be a beacon of light for the country.

The Committee discussed the historical significance of the bill and the specifics of commemorative and federal holidays.

Mr. Weeks clarified that Juneteenth Day had not been codified in Congress, but only recognized in a resolution.

MOTION: Rep. Hutchings moved to approve "Observing Juneteenth Day by the State" as a committee-recommended bill. The motion passed with Rep. Barrus voting in opposition and Sen. Hillyard and Rep. Donnelson absent for the vote.

6. Other Items / Adjourn

MOTION: Rep. Bowman moved to adjourn. The motion passed unanimously with Sen. Hillyard and Rep. Donnelson absent for the vote.

Chair Hellewell adjourned the meeting at 3:55 p.m.